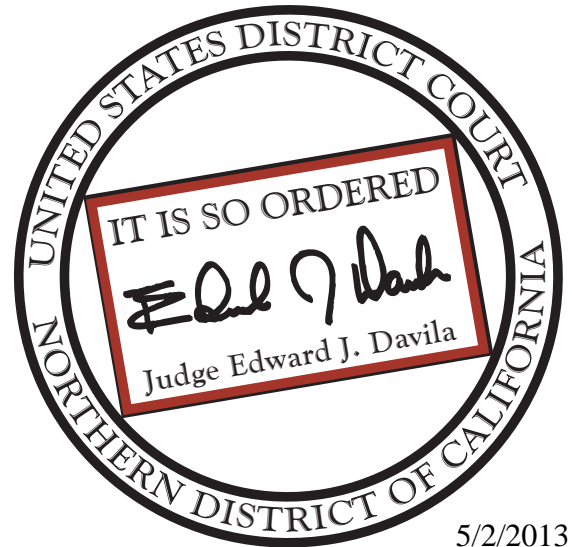


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7 Attorneys for Defendants
UNILEVER UNITED STATES, INC.,
8 and PEPSI/LIPTON TEA PARTNERSHIP



5/2/2013

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12
13 SAN JOSE DIVISION

14 AMY MAXWELL, individually and on behalf of
15 all others similarly situated,

16 Plaintiff,

17 v.

18 UNILEVER UNITED STATES, INC.,
19 PEPSICO, INC., and PEPSI LIPTON TEA
PARTNERSHIP

20 Defendants.

Case No. CV12-01736-EJD

CLASS ACTION

**STIPULATION EXTENDING TIME
TO RESPOND TO SECOND
AMENDED COMPLAINT**

Judge: Hon. Edward J. Davila
Action Filed: April 6, 2012

21
22
23
24 Pursuant to Civil Local Rule 6-1(a), Plaintiff Amy Maxwell ("Plaintiff"), on behalf of
25 herself and all others similarly situated, and Defendants Unilever United States, Inc., PepsiCo
26 Inc., and Pepsi/Lipton Tea Partnership ("Defendants"), through their undersigned counsel,
27 hereby stipulate as follows:
28

1 WHEREAS, on April 6, 2012, Plaintiff filed a Class Action and Representative Action
2 Complaint for Damages and Equitable and Injunctive Relief (the "Complaint"), on July 9, 2012,
3 Defendants filed a motion to dismiss, and on July 30, 2012, Plaintiff filed a First Amended
4 Complaint ("FAC");

5 WHEREAS, on October 12, 2012, Defendants filed motions to dismiss the FAC;

6 WHEREAS, on April 9, 2013, the Court issued an Order Granting Defendants' Motions
7 to Dismiss the FAC;

8 WHEREAS, Plaintiff filed a Second Amended Complaint ("SAC") on April 24, 2013;

9 WHEREAS, Defendants' responses to the SAC would be due on May 13, 2013;

10 WHEREAS, one of the lead attorneys on the case is currently in trial on another case,
11 and the parties desire additional time to brief the issues raised by the Second Amended
12 Complaint; and

13 WHEREAS, this change will not alter the date of any event or any deadline already
14 fixed by Court order;

15 IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel,
16 that pursuant to Local Rule 6-1(a), Defendants shall have an additional thirty (30) days to
17 respond to Plaintiff's Second Amended Complaint, up to and including June 12, 2013.

1 Dated: May 1, 2013

WILLIAM L. STERN
CLAUDIA M. VETESI
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP

4 By: /s/ William L. Stern
WILLIAM L. STERN

Attorneys for Defendants
UNILEVER UNITED STATES, INC. and
PEPSI/LIPTON TEA PARTNERSHIP

9 Dated: May 1, 2013

DANIEL W. NELSON
TIMOTHY W. LOOSE
GIBSON, DUNN & CRUTCHER LLP

12 By: /s/ Daniel W. Nelson
DANIEL W. NELSON

Attorneys for Defendant
PEPSICO, INC.

16 Dated: May 1, 2013

Ben F. Pierce Gore (SBN 128515)
PRATT & ASSOCIATES
1901 S. Bascom Avenue, Suite 350
Campbell, California 95008

19 By: /s/ Ben F. Pierce Gore
BEN F. PIERCE GORE

Attorneys for Plaintiff

ECF ATTESTATION

I, William L. Stern, am the ECF User whose ID and password are being used to file the following: **STIPULATION EXTENDING TIME TO RESPOND TO SECOND AMENDED COMPLAINT**. In compliance with General Order 45, X.B., I hereby attest that Daniel W. Nelson and Ben F. Pierce Gore have concurred in this filing.

Dated: May 1, 2013

WILLIAM L. STERN
CLAUDIA M. VETESI
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP

By: /s/ William L. Stern
WILLIAM L. STERN